

1:10-CV-3108

JS44 (Rev. 1/08 NDGA)

## CIVIL COVER SHEET

The JS44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form is required for the use of the Clerk of Court for the purpose of initiating the civil docket record. (SEE INSTRUCTIONS ATTACHED)

**I. (a) PLAINTIFF(S)**

Taser International, Inc., et al.  
(Please see Attachment A for full list of Plaintiffs)

**DEFENDANT(S)**

Morgan Stanley & Co., Inc., et al.  
(Please see Attachment B for full list of Defendants)

**(b) COUNTY OF RESIDENCE OF FIRST LISTED PLAINTIFF**  
Maricopa, Arizona  
(EXCEPT IN U.S. PLAINTIFF CASES)

## COUNTY OF RESIDENCE OF FIRST LISTED DEFENDANT \_\_\_\_\_

JOF

(IN U.S. PLAINTIFF CASES ONLY)

NOTE: IN LAND CONDEMNATION CASES, USE THE LOCATION OF THE TRACT OF LAND INVOLVED

**(c) ATTORNEYS** (FIRM NAME, ADDRESS, TELEPHONE NUMBER, AND E-MAIL ADDRESS)

Steven J. Rosenwasser, John E. Floyd, Nicole G. Iannarone  
Bondurant, Mixson & Elmore, LLP  
3900 One Atlantic Center, 1201 West Peachtree Street, N.W.  
Atlanta, Georgia 30303  
(404) 881-4100 rosenwasser@binelaw.com  
(Please see Attachment C for full list of Plaintiffs' Attorneys)

**ATTORNEYS** (IF KNOWN)

Richard H. Sinkfield, Dan F. Laney, III  
Rogers & Hardin, LLP, 2700 International Tower,  
229 Peachtree Street, N.E.  
Atlanta, Georgia 30303  
(404)522-4700 RSinkfield@RH-Law.com  
(Please see Attachment D for full list of Defendants' Attorneys)

**II. BASIS OF JURISDICTION**  
(PLACE AN "X" IN ONE BOX ONLY)

- 1 U.S. GOVERNMENT PLAINTIFF       3 FEDERAL QUESTION (U.S. GOVERNMENT NOT A PARTY)  
 2 U.S. GOVERNMENT DEFENDANT       4 DIVERSITY (INDICATE CITIZENSHIP OF PARTIES IN ITEM III)

**III. CITIZENSHIP OF PRINCIPAL PARTIES**(PLACE AN "X" IN ONE BOX FOR PLAINTIFF AND ONE BOX FOR DEFENDANT)  
(FOR DIVERSITY CASES ONLY)

PLF	DEF	PLF	DEF
<input type="checkbox"/> 1	<input type="checkbox"/> 1 CITIZEN OF THIS STATE	<input type="checkbox"/> 4	<input type="checkbox"/> 4 INCORPORATED OR PRINCIPAL PLACE OF BUSINESS IN THIS STATE
<input type="checkbox"/> 2	<input type="checkbox"/> 2 CITIZEN OF ANOTHER STATE	<input type="checkbox"/> 5	<input type="checkbox"/> 5 INCORPORATED AND PRINCIPAL PLACE OF BUSINESS IN ANOTHER STATE
<input type="checkbox"/> 3	<input type="checkbox"/> 3 CITIZEN OR SUBJECT OF A FOREIGN COUNTRY	<input type="checkbox"/> 6	<input type="checkbox"/> 6 FOREIGN NATION

**IV. ORIGIN** (PLACE AN "X" IN ONE BOX ONLY)

- 1 ORIGINAL PROCEEDING       2 REMOVED FROM STATE COURT       3 REMANDED FROM APPELLATE COURT       4 REINSTATED OR REOPENED       TRANSFERRED FROM 5 ANOTHER DISTRICT (Specify District)       6 MULTIDISTRICT LITIGATION       7 FROM MAGISTRATE JUDGE JUDGMENT

**V. CAUSE OF ACTION** (CITE THE U.S. CIVIL STATUTE UNDER WHICH YOU ARE FILING AND WRITE A BRIEF STATEMENT OF CAUSE - DO NOT CITE JURISDICTIONAL STATUTES UNLESS DIVERSITY)

(Please see Attachment E)

## (IF COMPLEX, CHECK REASON BELOW)

1. Unusually large number of parties.  
 2. Unusually large number of claims or defenses.  
 3. Factual issues are exceptionally complex.  
 4. Greater than normal volume of evidence.  
 5. Extended discovery period is needed.  
 6. Problems locating or preserving evidence.  
 7. Pending parallel investigations or actions by government.  
 8. Multiple use of experts.  
 9. Need for discovery outside United States boundaries.  
 10. Existence of highly technical issues and proof.

## CONTINUED ON REVERSE

FOR OFFICE USE ONLY			
RECEIPT #	AMOUNT	APPLYING IFP	MAG. JUDGE (Initials)
JUDGE	MAG. JUDGE	NATURE OF SUIT	CAUSE OF ACTION
		(Refile)	

Jof

850

15/2078

**VI. NATURE OF SUIT (PLACE AN "X" IN ONE BOX ONLY)****CONTRACT - "0" MONTHS DISCOVERY TRACK**

- 150 RECOVERY OF OVERPAYMENT & ENFORCEMENT OF JUDGMENT  
 152 RECOVERY OF DEFAULTED STUDENT LOANS (Excl. Veterans)  
 153 RECOVERY OF OVERPAYMENT OF VETERAN'S BENEFITS

**CIVIL RIGHTS - "4" MONTHS DISCOVERY TRACK**

- 411 VOTING  
 412 EMPLOYMENT  
 413 HOUSING/ ACCOMMODATIONS  
 444 WELFARE  
 440 OTHER CIVIL RIGHTS  
 445 AMERICANS with DISABILITIES - Employment  
 446 AMERICANS with DISABILITIES - Other

**SOCIAL SECURITY - "0" MONTHS DISCOVERY TRACK**

- 861 HIA (1395ff)  
 862 BLACK LUNG (923)  
 863 DIWC (405(g))  
 863 DIWW (405(g))  
 864 SSID TITLE XVI  
 865 RSI (405(g))

**CONTRACT - "4" MONTHS DISCOVERY TRACK**

- 110 INSURANCE  
 120 MARINE  
 130 MILLER ACT  
 140 NEGOTIABLE INSTRUMENT  
 151 MEDICARE ACT  
 160 STOCKHOLDERS' SUITS  
 190 OTHER CONTRACT  
 195 CONTRACT PRODUCT LIABILITY  
 196 FRANCHISE

**IMMIGRATION - "0" MONTHS DISCOVERY TRACK**

- 462 NATURALIZATION APPLICATION  
 463 HABEAS CORPUS- Alien Detainee  
 465 OTHER IMMIGRATION ACTIONS

**FEDERAL TAX SUITS - "4" MONTHS DISCOVERY TRACK**

- 870 TAXES (U.S. Plaintiff or Defendant)  
 871 IRS - THIRD PARTY 26 USC 7609

**REAL PROPERTY - "4" MONTHS DISCOVERY TRACK**

- 210 LAND CONDEMNATION  
 220 FORECLOSURE  
 230 RENT LEASE & EJECTMENT  
 240 TORTS TO LAND  
 245 TORT PRODUCT LIABILITY  
 250 ALL OTHER REAL PROPERTY

**PRISONER PETITIONS - "0" MONTHS DISCOVERY TRACK**

- 510 MOTIONS TO VACATE SENTENCE  
 530 HABEAS CORPUS  
 535 HABEAS CORPUS DEATH PENALTY  
 540 MANDAMUS & OTHER  
 550 CIVIL RIGHTS - Filed Pro se  
 555 PRISON CONDITION(S) - Filed Pro se

**OTHER STATUTES - "4" MONTHS DISCOVERY TRACK**

- 400 STATE REAPPORTIONMENT  
 430 BANKS AND BANKING  
 450 COMMERCE/ICC RATES/ETC.  
 460 DEPORTATION  
 470 RACKETEER INFLUENCED AND CORRUPT ORGANIZATIONS  
 480 CONSUMER CREDIT  
 490 CABLE/SATELLITE TV  
 810 SELECTIVE SERVICE  
 875 CUSTOMER CHALLENGE 12 USC 3410  
 891 AGRICULTURAL ACTS  
 892 ECONOMIC STABILIZATION ACT  
 893 ENVIRONMENTAL MATTERS  
 894 ENERGY ALLOCATION ACT  
 895 FREEDOM OF INFORMATION ACT  
 900 APPEAL OF FEE DETERMINATION UNDER EQUAL ACCESS TO JUSTICE  
 950 CONSTITUTIONALITY OF STATE STATUTES  
 890 OTHER STATUTORY ACTIONS

**TORTS - PERSONAL INJURY - "4" MONTHS DISCOVERY TRACK**

- 310 AIRPLANE  
 315 AIRPLANE PRODUCT LIABILITY  
 320 ASSAULT, LIBEL & SLANDER  
 330 FEDERAL EMPLOYERS' LIABILITY  
 340 MARINE  
 345 MARINE PRODUCT LIABILITY  
 350 MOTOR VEHICLE  
 355 MOTOR VEHICLE PRODUCT LIABILITY  
 360 OTHER PERSONAL INJURY  
 362 PERSONAL INJURY - MEDICAL MALPRACTICE  
 365 PERSONAL INJURY - PRODUCT LIABILITY  
 368 ASBESTOS PERSONAL INJURY PRODUCT LIABILITY

**FORFEITURE/PENALTY - "4" MONTHS DISCOVERY TRACK**

- 610 AGRICULTURE  
 620 FOOD & DRUG  
 625 DRUG RELATED SEIZURE OF PROPERTY  
 21 USC 881  
 630 LIQUOR LAWS  
 640 R.R. & TRUCK  
 650 AIRLINE REGS.  
 660 OCCUPATIONAL SAFETY / HEALTH  
 690 OTHER

**OTHER STATUTES - "8" MONTHS DISCOVERY TRACK**

- 410 ANTITRUST  
 850 SECURITIES / COMMODITIES / EXCHANGE

**TORTS - PERSONAL PROPERTY - "4" MONTHS DISCOVERY TRACK**

- 370 OTHER FRAUD  
 371 TRUTH IN LENDING  
 380 OTHER PERSONAL PROPERTY DAMAGE  
 385 PROPERTY DAMAGE PRODUCT LIABILITY

**LABOR - "4" MONTHS DISCOVERY TRACK**

- 710 FAIR LABOR STANDARDS ACT  
 720 LABOR/MGMT. RELATIONS  
 730 LABOR/MGMT. REPORTING & DISCLOSURE ACT  
 740 RAILWAY LABOR ACT  
 790 OTHER LABOR LITIGATION  
 791 EMPL. RET. INC. SECURITY ACT

\* PLEASE NOTE DISCOVERY TRACK FOR EACH CASE TYPE.  
SEE LOCAL RULE 26.3

**BANKRUPTCY - "0" MONTHS DISCOVERY TRACK**

- 422 APPEAL 28 USC 158  
 423 WITHDRAWAL 28 USC 157

**PROPERTY RIGHTS - "4" MONTHS DISCOVERY TRACK**

- 820 COPYRIGHTS  
 840 TRADEMARK

**PROPERTY RIGHTS - "8" MONTHS DISCOVERY TRACK**

- 830 PATENT

**VII. REQUESTED IN COMPLAINT:**

CHECK IF CLASS ACTION UNDER F.R.Civ.P. 23 DEMAND \$ \_\_\_\_\_

JURY DEMAND  YES  NO (CHECK YES ONLY IF DEMANDED IN COMPLAINT)

**VIII. RELATED/REFILED CASE(S) IF ANY**

JUDGE \_\_\_\_\_ DOCKET NO. \_\_\_\_\_

**CIVIL CASES ARE DEEMED RELATED IF THE PENDING CASE INVOLVES: (CHECK APPROPRIATE BOX)**

1. PROPERTY INCLUDED IN AN EARLIER NUMBERED PENDING SUIT.  
 2. SAME ISSUE OF FACT OR ARISES OUT OF THE SAME EVENT OR TRANSACTION INCLUDED IN AN EARLIER NUMBERED PENDING SUIT.  
 3. VALIDITY OR INFRINGEMENT OF THE SAME PATENT, COPYRIGHT OR TRADEMARK INCLUDED IN AN EARLIER NUMBERED PENDING SUIT.  
 4. APPEALS ARISING OUT OF THE SAME BANKRUPTCY CASE AND ANY CASE RELATED THERETO WHICH HAVE BEEN DECIDED BY THE SAME BANKRUPTCY JUDGE.  
 5. REPETITIVE CASES FILED BY PRO SE LITIGANTS.  
 6. COMPANION OR RELATED CASE TO CASE(S) BEING SIMULTANEOUSLY FILED (INCLUDE ABBREVIATED STYLE OF OTHER CASE(S));

7. EITHER SAME OR ALL OF THE PARTIES AND ISSUES IN THIS CASE WERE PREVIOUSLY INVOLVED IN CASE NO. \_\_\_\_\_, WHICH WAS DISMISSED. This case  IS  NOT (check one box) SUBSTANTIALLY THE SAME CASE.

SIGNATURE OF ATTORNEY OF RECORD

Richard H. Sinkfield  
Georgia Bar #649100

September 28, 2010

DATE